G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1893-94
~~191.~~
(Murrai)

File No. 269

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Writing off the accounts the small amount of rent due by the tenants of the Rameswara Devar Temple at Kolaadi Sagar Taluk.

PREVIOUS REFERENCES. LATER REFERENCES.

Management -
Transferred to the
Muzarai Branch
21
9/12/94

(General Serial No. 30.)

11647-

1894. 28 JUN. R 2215

From The Deputy Commissioner of Kadur

To

BRANCH

The Chief Secretary to the Dewan of Mysore.

Dated 26th
Despatched
Received } January

Enclosures No. 1 + a file

General No. 692
No. 569

Forwards for orders of Government copy of letter No 365 dated 20th ultimo from the Sub Division Officer Sagar

Submitted for orders with reference to Section 118 of the L. R Code.

The temple is stated to

Sameera 914/80-93 9/22/2/94

1693

From

The Deputy Commissioner.
Thana Jurisdiction.

To

The Chief Secretary to the
Dewan of Cochin

Dated 26th
Decr/92. } January

No. 692/576 Encl: 1 P a file

I have the honor to forward for orders of Government copy of letter No. 365 dated 20th Ultimo from the Sub Division Officer, Sapur, together with its enclosures, and to state that the Temple is one under Government Management.

The case seems to be more of a mistake than fraud on the part of any one.

Abdul Rahiman M.B
Deputy C

MMR

1/a

Sub Division Office
Sagar
Camp Benavalli, Dated
20th December 1893

No 36 Dem: Ver: records as per Perish.

To

The Deputy Commissioner
Shimoga

Sir,

I have the honor to submit the following case for the orders of Government.

2. Survey No 96, wet acres 4/. assessment Rs 15/- of Chikkanallur village Sagar Taluk was in the "Khata" of Rameshwara Devaru Temple at Keladi in the same Taluk; up to the year of Survey settlement viz 1875. The old "chitta" accounts show that the land was resort...

in the name of the Temple from 1836-1837 and the ancestors of present holders paid rent in kind to the Temple as its tenants. In the said accounts the land (Pinagee No. 2 of the Belay village) is shown as "Devata Cottai" but full assessment was and is being levied all along. It is therefore clear that the land was not really "Cottai" land although shown as such in the old accounts.

3. The settlement papers show that it was registered in the name of the heirs of the tenants of the Temple as detailed below:-

Half share in the name of Chitambiah bin Vittiah	Extent. As per annexure B. Ex. No. As. P. 2 -- 7 - 8 --

1/4 Share in the
name of Devappa
bin Eranijappa - 1 - " - 2 - 12 - "

Do do Lankiah
bin Thimmiah - 1 - " - 3 - 12 - "

Total — 4 - " - 15 - " - .

4. All the three individuals paid the usual share of the produce to the Temple up to a recent year, and now two out of the three joint Patteds are object to payment to the Temple on the ground that the land is registered in their own name. I may here explain that Devappa bin Eranijappa is now dead, and one Krishna grandson of Eranijappa, minor son of the said Devappa declines to pay-

his share of the rent. Lankiah who was praying regularly objects to pay from the time he and his brother Venkiah divided the land at the time of the division of their family property. On the other hand Venkiah is willing to pay. Thus one fourth and one eighth shareholders Haniyappa and Lankiah respectively object to pay rent to the Temple, and 1/2 and 1/8 shareholders Chitambaiah and Venkiah respectively pay it regularly.

5. The examination of old Revenue accounts and Survey papers clearly discloses that the land stood in the name of the Devaru for forty years. There is

every

every reason to believe that the land belonged to the Temple previous to 1436-37, because there is not a particle of evidence to show that it was enjoyed by others at any time. It is apparent from the entries in the "varsolbaki" account (one of the settlement papers) that the land was registered in the name of the present occupants or their ancestors through collusion of the parties and the villagers, or by mistake.

6- The principal share holder Chitambaram having consented to his half share of the land being

registered in the name of the Temple, orders have been issued to the Amildar to rectify the entries in the village and Taluk accounts.

As all the three joint khatedars paid rent even after the land was registered in their name, this question did not arise earlier. As it is a clear case of fraud, or at any rate, I may say one of mistake I submit the whole record of enquiry connected with the case, under section 114 of the Land Revenue Code for the orders of Government.

Thanking you

Signed / D. Nanmal Rao
Asst. Commr. Officiating, Lagar
C. Divn.

Abdul Rahman K.B.
Deputy Commissioner

(General Serial No. 30.)

1894.

From The Deputy Commissioner Shimoga Dist.

To Mysore
The ~~Chief~~ Secretary to the Durbar of Mysore.

Dated 16th February 1894.

Despatched

Received 19-2-94

Enclosures No. 2

General No. 779
No. 39

Forwards for sanction a bill for Rs 10/- for filing a Suit in the Civil Court against the Tenants of Rameswaradevaru at Keladi Sagar Taluk.

The Summons 909-93 21.2.94

1894

From

The Dy Commissioner
Shimoga District.

To The Mysore Secretary to the Dewan
of Mysore.

Dy 16th February 1894

No 779 en 2
39

Has the honor to forward for sanction a bill for Rs 10/- required for the use of filing a suit in the Civil Court against certain Tenants of Rameswaradevaru at Keladi, Sagar Taluk.

Sanctioned
Rs 10
19/2/1894

For Dy Commissioner

1894

(a)

Sub Division Officer Sagar
Camp Talewakatte
Dated 27th December 1893

To
The Deputy Commissioner
Shemoga District

No. 372 In ver file
asper forest

Sir -

In continuation of my letter No. 365 dated 22nd instant, I have the honor to further explain that the two of the tenants of the Rameswara temple at Keladi, who cultivate portions of Survey No 98 of the village of Chicka Kallur, Sagar Taluk, which is the property attached to the temple, have withheld payment of rent from the year "Sarwadhari" (1887-88) on the ground that the portions they cultivate are registered in their own names

2. The facts of this case are briefly

fully given in the letter quoted above. The land was formerly registered in the name of the Temple, but owing to some error or collusion of the village servants or parties themselves it was registered in the name of the tenants at the survey settlement. Up to the year "Parvapti" all the tenants paid their respective share of the rent but from the year "Sarvadhari" (1887-88), minor Hariyapai guardian Kuttiale and Sankriale who cultivate 1/4 & 1/8 share of the land respectively have withheld payment. It may be here stated that the cultivators of the remaining portion of the land have agreed to pay the same as usual and one of them Chitambriale has also consented to the transfer of the Patta for his share

of

of the land to the name of the temple

3. It is now proposed to sue the two recusant tenants in a court of law and recover the rent due from them or its money value as detailed in the margin. The claim for rent for the two years of Sarwadhari and Virodhee is barred by the Law of Limitation. The suit will therefore be only for the remaining two years of Vikrum & Khara. This course is decided upon to establish the right of the temple to the valuable land. Otherwise two other share-holders, who are at present paying regularly might at any moment dispute the claim of the temple for rent.

4. The money value involved is not much. The quantity of grain due as rent per annum from both, is a hundred and eight seers or thereby and the market-

"1 Harvest Season Gunnesium Rent due for the years
Krishnaiee. 3 Vikrum & Khara
Paon 4/120 seers.

2 Sankranti. Do — Do do
Total seers 180

market Value of the grain Rs 4/-

market value thereof will be
about 3/2 Rs or for both years
Rs 7/- The court costs will
come to about Rs 10 and I
request you will obtain sanction
of the Government to the
expenditure to enable the
temple managers to recover
the arrears due from the said
tenants

5 The Vernacular records
connected with the subject
are here with submitted
for reference

I have the honor to be
Sir
Your most obedient servant
Sd S Nanasena Rau
Sub Dy Officer
Sayar

"True Copy"

For Deputy Commissioner
Shencottah District

(3)

MUZARAI.

(General Serial No. 30.)

189 .

From

To The Deputy Commissioner Shimoga &c
— " — Comptroller —

Dated 21st February 94

Despatched 22nd

Received

Enclosures No. 1

General No. 907-8
~~*Muzarai F. No.*~~

Sanctioning and forwarding to the Comptroller for audit, a bill for Rs 10/- being the amount required for filing a civil suit against certain tenants who cultivated the land belonging to the Rameswara temple at Keladi, Sagar Taluk.

Mysore Govt. Central Press, Bangalore.—26-9-93-1,000.

anne no 74-S of 21.7.94
80-93

Mysore

Read:—

Docket No. 779 d/16th February 1894 from the Dy: Commr., Shimoga District, submitting for sanction a bill for Rs 10/- being the amount required for filing a suit in the Civil Court against certain tenants who cultivate the land belonging to the Rameswara temple at Keladi Sagar Taluk, for the recovery of rent due from them to the temple.

R

No. 907-89 21/22-2-94 Em

Order thereon—No.

The bill for Rs 10/- is sanctioned and forwarded to the comptroller for audit the charge being met from the sum of Rs 4036-5-1 available at the credit of the institution on the 31st Dec/93 under the head "Receipts of Temples".

To the Dy: Commr: Shimoga and the Comptroller & the Govt of Mysore with the bill

S

6.2.94

Draft

MUZARAI.

(General Serial No. 30.)

1894.

From

To The Dy Commr
Shimoga Dist

Dated 22 February 94

Despatched 23

Received

Enclosures No.

General No.
Muzarai F. No.

His No. 692/569 dated 26th
Ultimo submitting
for orders correspondence
relative to the Khata
of certain lands belonging
to the Rameswara Devaru
temple at Keladi in the
Sagar Taluk.

In reply has the honor
to

Mysore Govt. Central Press, Bangalore.—26-9-93-1,000.

the Same Ino 1178/66 dt 26/4/94

USD

to state that as he
in his Docket No. 779/39 of
the 16th Instant that a suit
is to be filed against
certain tenants of the lands
temple managers for
the recovery of arrears
of rent due by them, the
reference may be resub-
-mitted to this office
after the result of the
suit is known.

2. The enclosures
are herewith returned.

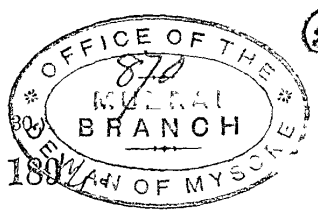
By order

V.

Secretary.

6.7.

(General Serial No. 30)



(5)

870

1894

From

The Deputy Commissioner
Chinnagiri district

To

The ~~Chief~~ Secretary to the Dewan
of Mysore.
Inungoi Branch

Dated 26th

Despatched June

Received 2/7

Enclosures No. 1

General No. 1176
No. 66

With reference to his
Dt. Lr. No. 914 dated 22?
Inung. T. 80-93
February last forwards
copies of letters from
the Sub Division Officer
relative to the Khata
of certain lands belong-
-ing to Ramadurga
Devasthan Temple.

4/7/94

the same Lr. No 16
7-5-94

From

The Deputy Commissioner

Shimoga District

To

The Secretary to the Dewan

of Mysore

Mysore Branch

Dated 27th June

No. 1174/66 Rev: Dept

His Docket No. 914 Dated

Mys ? 80-93

22? February last, requesting that the reference relative to the Khata of certain lands belonging to the Rameshwara Devaru Temple at Keladi in the Sagar Taluk may be resubmitted after the result of the suit is known.

With reference to

the above has the honor to forward for information copies of the marginally noted letters from the Sub Division Officer, Sagar, with the remarks of the undersigned thereon

Abdul Rahman B.A.
Deputy Commissioner
Shimoga Dt.

BRL

+ No. 658 dated 15th June 1954
No. 659 dated 15th —do—

Sub Division Office, Sagar

Camp Shimoga, dated 15th June 1894

No. 658 in Rev.

To

The Deputy Commissioner

Shimoga

Sir,

With reference to Mysore Secretary's Docket No. 914 dated 22nd February last, received with Your No. 1906 dated 28th Idem, directing to resubmit the reference regarding the transfer of Patta of certain land in the village of Chickmallur in the Sagar Taluk to the Rameshwara Devasam Temple at Keladi, I have the honor to report that the two individuals Narinyappa and Shankara

who had been wrongly registered as joint Khatedars of the land in question having consented and duly transferred the Patta of the land to the Temple, no further action in the matter, is necessary.

The necessary records of the case have therefore been filed in this office.

Shamrao

Signed / D. Nanavel Row
Sub Division Officer
Lugar

No. 659. Sub Division Office, Lugar
Camp Shimoga, Dated
15th June 1894.

To
The Deputy Commissioner
Shimoga

Sir,

With reference to Government Proceedings Inungrai No. 907-8 dated 21st/22 February last, re:= =ceived with your No. 2019 dated 14th March last, sanc:= =tioning a sum of Rs. 10/- for giving certain tenants of the Rameswara Devaru Temple at Keladi in the Sagar Taluk for the arrears of rent due from them, I have the honor to state, that the parties having entered into a compromise and agreed to pay the rent from the year Nandana (1891-92) and to transfer the Patta of the land to the name of the Devaru, it was thought proper to stay further:

legal proceedings in the matter.

2. Rent in kind at 180 seers of paddy per year, is due from the year Saravadhari (1887-88) to Khara (1890-91) both years inclusive. Out of this, the claim for the first two years of Saravadhari and Virodhi, is barred by the Law of Limitation. The money value of the grain due for the remaining two years will be about seven Rupees. As the parties have paid regularly rent for the subsequent years and transferred the patta to the name of the Temple, it would be simply vexatious to drag them in to a Court for

This is due to Temple and the parties from it is due are devotees of the Temple. I think that by a little "thondu" the Amildar can easily recover these dues in favor of the Institution. The amount is but small and I do not think that the parties will evade payment under the law of limitation. Under the circumstances of the case the Sub Division Officer may issue orders to the Amildar accordingly

27-6-94
Init/A.R.

for this small sum. I would therefore recommend that you will move the Government to sanction the writing off of this small arrears from the accounts. I may add here that proper arrangements have been made for the regular recovery of the rent for the future.

2. The amount sanctioned for the expenses of the sink has been ordered to be refunded to the Treasury.

I have &c

Signed / D. Macnaeil Ross
Sub Division Officer
Lugar

"Copies"

Abdul Rahman, B.A.
Deputy Commissioner

6-7-94

(General Serial No. 30)

OFFICE OF THE DEWAN OF MYSORE
MUZRAI BRANCH

189

From The Dy Commissioner
Shimoga Dist

To
Muzrai
The ~~Chief~~ Secretary to the Dewan
of Mysore.

Dated 4th July 1894

Despatched

Received 6/7

Enclosures No. 1

General No.
No. 16

In continuation of this Office No 1178/66 of 27th ultimo forwards for orders copy of the Sagar Sub-Dn Officer's letter recommending the writing off the accounts the small amount of rent due by the tenants of the Rameswaradevaru Temple at Keladi, Sagar Taluk

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the Same No 74-5 of 21.7.94
80-93

1894.

From The Dy Commissioner
Shimoga District

To The Mysore Secretary to the
Dewan of Mysore.

Dy 4th July 194

No 16/1 En 1

In continuation of this Office Docket
No. 1178/66 dated 27th ultimo, has the
honor to forward for orders copy of
the Sagar Sub-Division Officer's letter
No. 2 Dy 2d Instant recommending
the writing off the accounts the
small amount of rent due by
the tenants of the Rameswara
Devaru Temple.

Abdul Rahiman. KBr
Dy Commissioner
Shimoga Dt

Sub-Division Office, Sagar
dy 2d July 1894.

No. 2

To The Dy Commissioner,
Shimoga

Sir,

With reference to your letter No. 2811 of the 28th ultimo, I have the honor to state that when the two tenants of the Rameswara Devasthan temple agreed to transfer the patta of the land in dispute to the State of the Institution, it was a condition that the small amount of rent which was then in arrears should be remitted. I do not think it right to demand the same after a promise that it will be remitted. I therefore request you will be good enough to permit the same to be written off in the accounts.

I have &c.
Sd D. Nanjaraj Row
Sub Dy Asst, Sagar.

"Copy"
Abdul Rahman, KB
Dy Commissioner
Shimoga 9/8/94

Inwards

Read:

Govt Rso No. 907-89 21st Febr 1894 sanctioning the institution of a Civil suit afs against certain tenants of the Rameswaradevaru temple at Kaladi, Sagar Taluk, for the recovery of arrears of rent due from them to the temple.

Also.-

Further correspondence on the subject ending with Docket No 16/89 4th July 1894 from the Dy Commr, Shimoga District.

Order thereon No.

From the reports submitted, it is observed that in the year Sarvadhari (1887-8) certain tenants

Q

74-5 / Inwds 80.93 / 89 21/23.7.94

Haniappa and Sankaraiah who cultivated ~~a piece of~~ ~~or~~ portions of the marginally noted ~~land noted in the margin land~~ belonging to the Sri Rame-Swara Devaru temple at Kaladi objected to pay the rent due thereon on the ground that the Survey Khate of the land had been made out in their names

2 The Dy Commr then requested sanction of Govt to institute a Civil suit against them to recover the arrears of rent, which was accorded in the Govt Pro read above.

3 The Dy Commr now reports that a compromise has since been effected under which both the

N. Hage — Chickmagalur
Survey no — 98.
Nature of land — wet.
Extent — 4 Acres.
Assessment — Rs 15

defaulting tenants have transferred the Pattas of the land in question ~~their holdings~~ to the temple and paid all arrears of rent due from the year Nandana (1892-3) on the condition that they should be excused the payment of the arrears due for the remaining four years preceding thereto, which sum, it is reported amounts to ~~only~~ Rs 14/- ~~&~~. The D/Commr. accordingly requests permission to write off this sum in the temple accounts.

4. Under the circumstances represented by the D/Commr., the writing

off of the arrears in ques-
tion in the temple accounts
is sanctioned.

5. ~~The~~ There being
no further need for the
~~Sixth~~ sixth of the ~~Sanctioned~~ referred to
~~Secretary~~

To The Dy Commr, Shimoga Distt
Comptroller, Mysore Govt.

in the Govt. Pro
dated above,
the Sum of Rs 10. Sanctd.
for the purpose will
be ~~refunded to Govt~~
re-credited to the
Temple Savings
under the head of

A/c —
Secy.